

ABC PROCESS SERVICE, INC.
Attorney: COHEN MILSTEIN HAUSFELD & TOLL, P.L.L.C.
Index No. 6126/08
Date Filed 07/03/2008
Office No. CMHT011330A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FRANK B. FALKSTEIN, INDIVIDUALLY AND ON
BEHALF OF ALL OTHERS SIMILARLY SITUATED

(PLAINTIFF)

against

NEXCEN BRANDS, INC., ETAL

(DEFENDANT)

STATE OF NEW YORK, COUNTY OF NEW YORK SS:

SCHADRAC LAGUERRE being duly sworn, deposes and says
that he is over the age of 18 years, not a party to the action, and resides in
the State of New York:

That on the 16 day of July 2008 at 2:30 PM, at
1330 AVENUE OF THE AMERICAS, 34TH FL.; NEW YORK, NY 10019

he served the annexed SUMMONS AND CLASS ACTION COMPLAINT upon NEXCEN BRANDS,
INC., ETAL in this action, by delivering to and leaving with said DAVID MEISTER,
MANAGING AGENT a true copy thereof.

Deponent describes person served as aforesaid to the best of deponents ability
at the time and circumstances of service as follows:

1. Sex MALE, Color: WHITE, Hair BROWN, app. age 40 YRS, app. ht 5'9", app. wt 185
LBS

DEPONENT FURTHER SAYS, that he knew the Corporation so served as aforesaid to be
the Corporation mentioned and described in the said SUMMONS AND CLASS ACTION
COMPLAINT.

SWORN to before me this 16
day of July 2008

SCHADRAC LAGUERRE
License No.: 101951 :lf

JAY BRODSKY
Notary Public, State of New York
No. 314683271
Qualified in New York County
Commission Expires Feb. 2, 2011